

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3
4 BOARHEAD FARM AGREEMENT CIVIL ACTION NO.
5 GROUP, 02-CV-3830
Plaintiff, Judge Legrome D. Davis
Oral Deposition of

6 vs. THOMAS F. HEALEY
7 ADVANCED ENVIRONMENTAL TECHNOLOGY
8 CORPORATION; ASHLAND CHEMICAL
9 COMPANY; BOARHEAD CORPORATION;
10 CARPENTER TECHNOLOGY CORPORATION;
11 CROWN METRO, INC.; DIAZ CHEMICAL
12 CORPORATION; EMHART INDUSTRIES,
13 INC.; ETCHED CIRCUITS, INC.; FCG,
14 INC.; GLOBE DISPOSAL COMPANY, INC.;
15 GLOBE-WASTECH, INC.; HANDY & HARMAN
16 TUBE COMPANY, INC.; KNOLL, INC.;
17 MERIT METAL PRODUCTS CORPORATION;
18 NOVARTIS CORPORATION; NRM INVESTMENT
19 COMPANY; PLYMOUTH TUBE COMPANY;
20 QUIKLINE DESIGN AND MANUFACTURING
21 COMPANY; RAHNS SPECIALTY METALS,
22 INC.; ROHM & HAAS COMPANY, SIMON
WRECKING COMPANY, INC.; TECHALLOY
COMPANY, INC.; THOMAS & BETTS
CORPORATION; UNISYS CORPORATION;
UNITED STATES OF AMERICA
DEPARTMENT OF NAVY,
Defendants.

18 * * * * *
19 Thursday, February 10, 2005
20 * * * * *

21 Transcript in the above matter taken at
22 the offices of Ballard, Spahr, Andrews & Ingersoll,
LLP, 1735 Market Street, 42nd Floor, Philadelphia,
Pennsylvania, commencing at 10 o'clock A.M.

23 Certified Shorthand Reporting Services
24 Arranged Through
Mastroianni & Formaroli, Inc.
25 709 White Horse Pike
Audubon, New Jersey 08106
(856) 546-1100

1 during a certain window --

2 Q. Got you.

3 A. -- that Wissinoming got it all.

4 Q. Did you ever, as part of your
5 investigation into the Wissinoming operation,
6 consider the possibility that perhaps some of the
7 waste that DeRewal had handled for these companies
8 went elsewhere? And when I say "elsewhere", I mean
9 other than the Wissinoming operation.

10 A. We might have considered that, but for
11 the purposes of sort of jamming the bill up, we
12 assumed that he couldn't refute -- in other words, if
13 he was running this operation, limestoning it. He
14 wasn't using lime. The lime was a sham.

15 So even in the calculation, we assumed
16 that they were reacting the acids with lime, even
17 though they probably were not, and that was his
18 position. So he couldn't reverse his position on --
19 and that produced the solids bill. If you look at
20 the rate charge, we charge for solids.

21 Q. Yes.

22 A. So a good chance he dumped the acids
23 down the sewer system, good chance at some time, it
24 stopped going to the treatment plant and went
25 directly to the river, but in our assumption, we